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June 9, 2008

VIA FAX (212) 805-7901

Honorable Harold Baer, Jr.  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 2230  
New York, New York 10007-1312

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Re: United States v. Carlos Hernandez,  
07 Cr. 1221 (HB)

Dear Judge Baer:

I am CJA counsel for Carlos Hernandez, the defendant in the above-entitled case, who is scheduled to be sentenced this Thursday, June 12, 2008, at 10:00 a.m.

Late last week, my wife informed me that she had scheduled a personal matter for me for the same time as this sentencing. Unfortunately, it cannot be changed. Accordingly, without objection by the government, I respectfully request that Mr. Hernandez's sentencing be adjourned to another date and time convenient to your Honor.

I thank your Honor for considering this request and apologize for any inconvenience this may cause.

Sincerely,

Alexander E. Eisemann

cc: Eugene Ingolia, Esq.

*Sadly I have no other reasonable time other than June 12 at 10:00 a.m. See you then.*

*ORDERED: Harold Baer, Jr., U.S.D.J. 6/19/08*

<sup>1</sup> I am on duty Friday, so the sentencing should probably not be scheduled for that day. I have a matter before Judge Robinson in White Plains next Tuesday, June 17, so I will not be available until after 2:00 p.m. that day.

Endorsement:

Sadly I have no other reasonably close time other than June 17 at 5 PM. See you then.